



M E M O R A N D U M O F U N D E R S T A N D I N G

TO: Joe Pantalion
Deputy Director, Watershed Protection and Development Review Department

M.O.U. # PARD-08-028

FROM: Stuart Strong
Acting Director, Parks and Recreation Department

SUBJECT: Waller Creek Tunnel Project – Outlet Site
C.I.P. # 4971 8207 7000
Subproject I.D.: 6521.001

DATE: 6/6/2008

The Waller Creek Tunnel Project is a proposed storm water bypass tunnel beginning with an inlet structure in Waterloo Park and an outlet structure at Lady Bird Lake near Waller Beach and the Four Seasons Hotel. The tunnel will be approximately 22-feet in diameter and almost one mile long. The project is expected to reduce the size of the 100 year floodplain of the lower Waller Creek watershed by an estimated 28 acres and allow denser development in a very desirable area of downtown. The pump station at Waterloo Park will maintain constant water flow in the creek during the dry season, thus improving water quality and allowing a creek side atmosphere for public venues or natural settings. Inlet weirs along the creek will increase the ability to maintain storm water levels and water quality by adding stilling ponds and waterfalls along the creek. The project is the first phase of an area master plan to address development, public use, hike/bike access, and aesthetics for the Waller Creek District. The tunnel project will consist of several construction projects being designed until 2009, starting construction in 2009, and planned to be substantially complete in 2014.

The estimated Project Start Date is February, 2009.

The estimated duration of the project is 1825 Calendar Days.

Estimated Date of Final Completion (Restoration complete and accepted by Environmental Inspector and PARD; Parkland open for Public Use) is December, 2014.

Extension/modification of parkland use must receive prior written approval from PARD.

Watershed Protection and Development Review Department (WPDR) is in agreement to provide the following mitigation in return for use of the parkland:

The mitigation for this area will be for improvements to the Outlet Site at Lady Bird Lake.

The following improvements will be made to the area:

1. Site re-grading and landscaping to improve use	\$145,950.00
2. New ADA Compliant Pedestrian Bridge for Hike/Bike Trail	\$320,093.00
3. New Public Restrooms along the Trail	\$131,250.00
4. New Boat House and Docks	\$1,368,100.00
5. New vehicle rated trails and bridges	\$8,275.00
6. Area irrigation system	\$192,648.00
7. <u>New Park Scenic overlook with signs, markers, and Eco-system</u>	<u>\$3,750.00</u>
Total Mitigation work to be performed	\$2,170,066.00

PARD Calculated Mitigation

\$2,077,005.00

If for some reason, the above mitigation plan cannot be implemented, then WPDR will continue to work with PARD to negotiate an alternate mitigation plan during negotiations for use of the Outlet Site. If the project requires additional time for staging other than the dates stated within this agreement, PARD must agree in writing to such an extension and, if approved, WPDR will be responsible for compensating PARD at the same calculated daily rate as stated within this MOU.

WPDR Point of Contact is: Gary Jackson

(512) 974-7115

PARD Point of Contact is: Ricardo Soliz

(512) 974-6765

Parks & Recreation Board Approval: **May 27, 2008**

(Required by Chapter 26, Parks and Wildlife Code)

City Council Approval:



6/24/08

Acting Director, Parks and Recreation Department

Date

CONCURRENCE



June 24, 2008

Deputy Director, Watershed Protection and Development Review Department Date

ATTACHMENT 'A' - M.O.U. MITIGATION FEES CALCULATION WORKSHEET - RECAP		
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Project:	Waller Creek Tunnel
Calculated Fee	

Permanent Use - Inlet	\$270,480.00
Temporary Use - Inlet	\$1,422,999.43
Permananent Use - Outlet	\$915,120.00
Temporary Use - Outlet, 1 Year	\$107,180.69
Temporary Use - Outlet, 3 Years	\$1,054,704.00
TOTAL =	\$3,770,484.11

ATTACHMENT "A" - M.O.U. MITIGATION FEES CALCULATION WORKSHEET				
Permanent Use Agreement - Downtown		Project: Waller Creek Tunnel - Outlet (at Lady Bird Lake)		
TCAD Land Value of adjacent properties (\$):		\$288,000.00		
Avg. Lot Size (sq. ft.):		7200.0	Based on closest residential lot	
Value per square ft. (\$):		\$40.00		
Requested Area (sq. ft.):		91512.0		
Preliminary Mitigation Value (\$):		\$3,660,480.00		
Disturbance Value (%):		25.00%	Based on limitations on future development for that portion of parkland (see table below)	
Final Mitigation Value (\$):		\$915,120.00		
DISTURBANCE VALUES				
	Area can still be developed with minimal or no limitations			
25%	(underground work/materials with no/few above ground appurtenances/fixtures)			
	Area can still be developed with moderate limitations			
50%	(underground work/materials with some small/medium appurtenances/fixtures)			
	Development severely limited			
75%	(underground work/materials with several small/medium appurtenances/fixtures)			
	No future park development possible in the area - dedicated to installation			
100%	(underground and/or surface appurtenances/fixtures)			

ATTACHMENT 'A' - M.O.U. MITIGATION FEES CALCULATION WORKSHEET		
Temporary Use - Downtown		Project: Waller Creek Tunnel - Outlet (at Lady Bird Lake), 1 Year
Average Daily Cost to park car (\$):	\$8.00	Based on average for downtown parking lot fees
Average lot size (sq. ft.):	350.0	Based on standard parking space
Requested Area (sq. ft.):	12,847.0	
Equivalent Number of Parking Spaces:	36.706	
Daily Mitigation Rate (\$):	\$293.65	
Days requested:	365	
Total Mitigation Fee (\$):	\$107,180.69	

ATTACHMENT 'A' - M.O.U. MITIGATION FEES CALCULATION WORKSHEET			
Temporary Use - Downtown		Project: Waller Creek Tunnel - Outlet (at Lady Bird Lake), 3 Years	
Average Daily Cost to park car (\$):	\$8.00	Based on average for downtown parking lot fees	
Average lot size (sq. ft.):	350.0	Based on standard parking space	
Requested Area (sq. ft.):	42,140.0		
Equivalent Number of Parking Spaces:	120.400		
Daily Mitigation Rate (\$):	\$963.20		
Days requested:	1,095		
Total Mitigation Fee (\$):	\$1,054,704.00		